

## § 220.21

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 220.20, see the List of CFR Sections Affected in the Finding Aids section of this volume.

### § 220.21 Information collection/record-keeping—OMB assigned control numbers.

7 CFR section where requirements are described	Current OMB control number
220.3(e) .....	0584-0327
220.5 .....	0584-0012
220.7(a)–(e) .....	0584-0329
	0584-0012
	0584-0026
220.8(f) .....	0584-0012
220.9(a) .....	0584-0012
220.11 (a), (b), (e) .....	0584-0012
	0584-0002
	0584-0341
220.12(b) .....	0584-0012
220.13 (a–1)–(c), (f) .....	0584-0026
	0584-0002
	0584-0341
	0584-0012
220.14(d) .....	0584-0012
220.15 .....	0584-0012

[Amdt. 56, 54 FR 2990, Jan. 23, 1989]

### APPENDIX A TO PART 220—ALTERNATE FOODS FOR MEALS

#### FORMULATED GRAIN-FRUIT PRODUCTS

1. Schools may utilize the formulated grain-fruit products defined in paragraph 3 as a food component in meeting the meal requirements of this part under the following terms and conditions:

(a) Formulated grain-fruit products may be used to meet *one* bread/bread alternate and the fruit/vegetable requirement in the breakfast pattern specified in § 220.8 or 220.8a, whichever is applicable.

(b) Only individually wrapped formulated grain-fruit products which bear a label conforming to the following legend shall be utilized. "This product conforms to U.S.D.A. Child Nutrition Program specifications. For breakfast, it meets the requirements for fruit/vegetable/juice and one bread/bread alternate."

2. Only formulated grain-fruit products that have been accepted by the Food and Consumer Service (FCS) for use in the USDA child nutrition programs may be labeled as provided in paragraph 1.(b) of this appendix. Manufacturers seeking acceptance of their product shall furnish FCS a chemical analysis, protein efficiency ratio analysis, and such other pertinent data as may be requested by FCS. This information shall be forwarded to: Director, Nutrition and Technical Services Staff, Food and Consumer Service, U.S. Department of Agriculture, Alexandria, Virginia 22302. All laboratory anal-

## 7 CFR Ch. II (1–1–97 Edition)

yses are to be performed by independent or other laboratories acceptable to FCS. (FCS prefers an independent laboratory.) All laboratories shall retain the "raw" laboratory data for a period of one year. Such information shall be made available to FCS upon request.

3. To be accepted by FCS, products must have the following characteristics and meet the following nutritional specifications:

(a) Types. There are two types of products: one is a grain-type product and the other a grain-fruit type product.

(b) Ingredients. A grain-type product shall have grain as its primary ingredient. A grain-fruit type product shall have fruit as its primary ingredient. Both types of products must have at least 25 percent of their weight derived from grain. All ingredients and/or components shall comply with pertinent requirements or standards of the USDA and the Food, Drug, and Cosmetic Act, as amended, and any regulations issued thereunder.

(c) Nutritional specifications. Each serving of the product shall meet the minimum compositional requirements in the following table. The requirements as specified for those nutrients not limited by maximum values will be deemed to have been met if reasonable overages of the vitamins and minerals, within the limits of good manufacturing practice, are present to insure that the required levels are maintained throughout the expected shelf life under customary conditions of distribution and storage. An exception will be made for vitamins or minerals which occur naturally in an ingredient at such concentration that the level specified will be substantially exceeded in the final product. Such excess will be permitted but no label claim of nutritional advantage can be made for overages for any nutrients. Analytical methods employed should be according to the standard procedures defined in the Association of Official Analytical Chemists, 1970, "Official Methods of Analysis," 11th edition, Washington, DC or by appropriate analytical procedures FCS considers reliable.

#### NUTRITIONAL LEVELS OF GRAIN-FRUIT PRODUCTS<sup>1</sup>

Nutrient	Unit	Minimum	Maximum
Weight .....	Ounce .....	2	4.0
PER .....	Casein=2.5 .....	2.0	.....
Moisture .....	Percent weight ..	.....	40.0
Fat <sup>2</sup> .....	.....do .....	.....	22.0
Fiber .....	.....do .....	.....	0.8
Protein (N×6.25) .....	Gram .....	5.0	.....
Energy .....	Kilocalorie .....	250	.....
Vitamin A <sup>3</sup> .....	International unit	1,115	1,675.0
Vitamin E .....	.....do .....	5	.....
Vitamin B <sub>12</sub> .....	Microgram .....	1.25	.....
Thiamin .....	Milligram .....	.26	.....
Riboflavin .....	.....do .....	.13	.....

NUTRITIONAL LEVELS OF GRAIN-FRUIT  
PRODUCTS<sup>1</sup>—Continued

Nutrient	Unit	Mini- mum	Maxi- mum
Vitamin B <sub>6</sub> .....	.....do .....	.26	.....
Vitamin C .....	.....do .....	20	.....
Niacin .....	.....do .....	2.65	.....
Folacin .....	.....do .....	.04	.....
Iron <sup>4</sup> .....	.....do .....	4.4	.....
Calcium .....	.....do .....	120	.....
Phosphorus .....	.....do .....	120	.....
Magnesium .....	.....do .....	30	.....

<sup>1</sup>These specifications are based on a nutrient level for acceptable products plus ½ pint of fluid milk (as defined in § 220.2 of the regulations (7 CFR part 220)) to provide at least 25 percent of the Recommended Dietary Allowances (RDA), 1968, for 10- to 12-year-old boys and girls for specified nutrients except magnesium and kilocalories. Magnesium and kilocalories—at least 13 percent of this RDA.

<sup>2</sup>Although the maximum fat in these specifications is 22 percent, consideration should be given to the development of formulated items containing less fat. Most medical authorities recommend keeping the dietary intake of fats at about ⅓ of the day's calories. At least 5 percent of the total calories shall be from linoleic acid.

<sup>3</sup>Vitamin A levels above the maximum of 1,675 I.U. will be allowed in products containing this nutrient as a natural food, and if the vitamin has not been added to the ingredients or foods.

<sup>4</sup>Recommended sources of iron are ferric ammonium citrate, ferrous fumarate, ferrous sulfates (FeSO<sub>4</sub> or FeSO<sub>4</sub> 7H<sub>2</sub>O), ferrous gluconate, reduced iron, or other sources known to have a similar relative biological value.

(Secs. 804, 816, 817, and 819, Pub. L. 97-35, 95 Stat. 521-535 (42 U.S.C. 1753, 1756, 1759, 1771, 1773 and 1785))

[Amdt. 18, 39 FR 11249, Mar. 27, 1974, as amended at 40 FR 37027, Aug. 25, 1975; Amdt. 45, 48 FR 195, Jan. 4, 1983; Amdt. 57, 54 FR 13048, Mar. 30, 1989; 60 FR 31222, June 13, 1995]

APPENDIX B TO PART 220—CATEGORIES  
OF FOODS OF MINIMAL NUTRITIONAL  
VALUE

(1) *Soda Water*—A class of beverages made by absorbing carbon dioxide in potable water. The amount of carbon dioxide used is not less than that which will be absorbed by the beverage at a pressure of one atmosphere and at a temperature of 60° F. It either contains no alcohol or only such alcohol, not in excess of 0.5 percent by weight of the finished beverage, as is contributed by the flavoring ingredient used. No product shall be excluded from this definition because it contains artificial sweeteners or discrete nutrients added to the food such as vitamins, minerals and protein.

(2) *Water ices*. As defined by 21 CFR 135.160 Food and Drug Administration Regulations except that water ices which contain fruit or fruit juices are not included in this definition.

(3) *Chewing gum*. Flavored products from natural or synthetic gums and other ingredients which form an insoluble mass for chewing.

(4) *Certain candies*. Processed foods made predominantly from sweeteners or artificial sweeteners with a variety of minor ingredients which characterize the following types: (a) *Hard candy*. A product made predominantly from sugar (sucrose) and corn syrup which may be flavored and colored, is characterized by a hard, brittle texture, and includes such items as sour balls, fruit balls, candy sticks, lollipops, starlight mints, after dinner mints, sugar wafers, rock candy, cinnamon candies, breath mints, jaw breakers and cough drops.

(b) *Jellies and gums*. A mixture of carbohydrates which are combined to form a stable gelatinous system of jelly-like character, and are generally flavored and colored, and include gum drops, jelly beans, jellied and fruit-flavored slices.

(c) *Marshmallow candies*. An aerated confection composed of sugar, corn syrup, invert sugar, 20% water and gelatin or egg white to which flavors and colors may be added.

(d) *Fondant*. A product consisting of microscopic-sized sugar crystals which are separated by a thin film of sugar and/or invert sugar in solution such as candy corn, soft mints.

(e) *Licorice*. A product made predominantly from sugar and corn syrup which is flavored with an extract made from the licorice root.

(f) *Spun candy*. A product that is made from sugar that has been boiled at high temperature and spun at a high speed in a special machine.

(g) *Candy coated popcorn*. Popcorn which is coated with a mixture made predominantly from sugar and corn syrup.

## Schedule for Amending Appendix B

Actions for publication	Publication	
	May	November
Deadline for receipt of petitions by USDA.	Nov. 15 .....	May 15.
USDA to notify petitioners of results of Departmental review and publish proposed rule (if applicable).	Feb. 1 .....	Aug. 1.
60 Day Comment Period.	Feb 1 through Apr. 1.	Aug. 1 through Oct. 1.
Public Notice of Amendment of Appendix B by.	May 1 .....	Nov. 1.